

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Filed : Herewith
Serial No. : To Be Assigned
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Charles B. Jackson

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

Prior to examination, please amend the application without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

IN THE SPECIFICATION:

Please amend the specification without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

Page 1, line 1, insert --This application is a Continuation-in-Part of PCT/IB00/00168, filed February 4, 2000, designating the U.S., published August 10, 2000 as WO 00/45647 and claiming priority from GB 9902520.7 filed February 4, 1999. All of the above-mentioned applications, as well as all documents cited herein and documents referenced or cited in documents cited herein, are hereby incorporated herein by reference.--

IN THE CLAIMS:

Please amend the claims without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

1. A process for the preparation of a modified masa foodstuff, the process comprising the steps of
 - (i) preparing a masa by nixtamalisation of corn
 - (ii) contacting a reducing agent or an enzyme with
 - (a) the masa, and/or
 - (b) the corn prior to nixtamalisation;such that a protein native to the corn is modified.
2. (Amended) The process of claim 1, wherein the masa foodstuff is selected from corn tortilla, soft totilla, corn chips, tortilla chips, taco shells, tamales, derivatives and mixtures thereof.

3. (Amended) The process of claim 1, wherein the enzyme is a protease.
4. (Amended) The process of claim 1, wherein the reducing agent is selected from L-cystein, metabisulfite, inactivated yeast extract (glutathione), derivatives and mixtures thereof.
5. (Amended) The process of claim 1, wherein the masa foodstuff further comprises carrageenan.
6. (Amended) The process of claim 1, wherein the masa foodstuff further comprises guar.
7. (Amended) A masa foodstuff obtainable or obtained by the process of claim 1.
8. A masa foodstuff comprising a modified protein wherein the unmodified protein is native to corn.
9. (Amended) A method of using a reducing agent or an enzyme to improve the interaction of a protein in a masa foodstuff, wherein the protein is native to the corn.
10. A process as substantially described herein with reference to any one of the Examples.
11. A foodstuff as substantially described herein with reference to any one of the Examples.
12. A use as substantially described herein with reference to any one of the Examples.

IN THE ABSTRACT

Please amend the claims without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

Kindly cancel the present abstract.

After the claims, please insert: -- The invention provides a masa foodstuff, methods of making and uses thereof.--

REMARKS

This case has been amended to follow format rules and regulations for U.S. prosecution.

Please charge any additional fees incurred by reason of this paper to Deposit Account No.
50-0320.

An early examination on the merits is requested.

Attached hereto is a marked-up version of the changes made to the claims by the current Preliminary Amendment. The attached pages are captioned "Version with markings to show changes made".

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 

Thomas J. Kowalski
Reg. No. 32,147
(212) 588-0800

Enc. - Version with markings to show
changes made

“Version with markings to show changes made”

IN THE SPECIFICATION:

Page 1, line 1: This application is a Continuation-in-Part of PCT/IB00/00168, filed February 4, 2000, designating the U.S., published August 10, 2000 as WO 00/45647 and claiming priority from GB 9902520.7 filed February 4, 1999. All of the above-mentioned applications, as well as all documents cited herein and documents referenced or cited in documents cited herein, are hereby incorporated herein by reference.

IN THE CLAIMS:

1. A process for the preparation of a modified masa foodstuff, the process comprising the steps of
 - (iii) preparing a masa by nixtamalisation of corn
 - (iv) contacting a reducing agent or an enzyme with
 - (c) the masa, and/or
 - (d) the corn prior to nixtamalisation;such that a protein native to the corn is modified.
2. (Amended) The process of claim 1, [A process according to any one of the preceding claims] wherein the masa foodstuff is selected from corn tortilla, soft tottrilla, corn chips, tortilla chips, taco shells, tamales, derivatives and mixtures thereof.
3. (Amended) The process of claim 1, [A process according to any one of the preceding claims] wherein the enzyme is a protease.

4. (Amended) The process according to claim 1, [A process according to any one of the preceding claims] wherein the reducing agent is selected from L-cystein, metabisulfite, inactivated yeast extract (glutathione), derivatives and mixtures thereof.
5. (Amended) The process of claim 1, [A process according to any one of the preceding claims] wherein the masa foodstuff further comprises carrageenan.
6. (Amended) The process of claim 1, [A process according to any one of the preceding claims] wherein the masa foodstuff further comprises guar.
7. (Amended) A masa foodstuff obtainable or obtained by [a process as defined in any one of the preceding claims] the process of claim 1.
8. A masa foodstuff comprising a modified protein wherein the unmodified protein is native to corn.
9. (Amended) A method of using [Use of] a reducing agent or an enzyme to improve the interaction of a protein in a masa foodstuff, wherein the protein is native to the corn.
10. A process as substantially described herein with reference to any one of the Examples.
11. A foodstuff as substantially described herein with reference to any one of the Examples.
12. A use as substantially described herein with reference to any one of the Examples.

IN THE ABSTRACT

Line 1: The invention provides a masa foodstuff, methods of making and uses thereof.